

REMARKS

The Office Action mailed October 29, 2008 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1, 3-7 and 9-21 are now pending in this application. Claims 1, 4, 5, 7, 9 and 21 stand rejected. Claims 3, 6 and 10-20 have been withdrawn by the Examiner from further consideration. Claims 2 and 8 have been canceled.

The rejection of Claims 1, 4, 5, 7, 9 and 21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,478,465 to Sulcek (hereinafter referred to as "Sulcek") in view of U.S. Patent No. 5,625,969 to Vogler (hereinafter referred to as "Vogler") is respectfully traversed.

Sulcek describes a refuse packing device (12) having a door (10) that includes a handle (18) positioned along its upper edge. Handle (18) includes a grasping portion (19), a generally horizontally extending base portion (21), and a downwardly extending rear flange (22). A pair of spaced, parallel front flanges (30 and 31) extend downward from base portion (21) and define a channel (32) therebetween that are sized to receive a door front panel (26) therein. Notably, Sulcek does not describe or suggest an escutcheon for an appliance door that includes a flange and a lip that in combination define a retaining slot, and a plurality of positioning ribs that extend from the flange and away from the retaining slot, and that include a reinforcing section configured to prevent flexing of the plurality of positioning ribs.

Vogler describes a placard display stand. A display frame (F) includes an elongated substantially rigid supporting base (B) and a cooperating pair of substantially planar transparent plates (P1 and P2) that are seated within base (B) and held in position with the desired advertising or promotional material pressed therebetween. Base (B) includes a bottom wall (10), side walls (12 and 12'), and an interior partition wall (14) located between side walls (12 and 12') that divides an interior space bounded by the side and bottom walls into two upwardly opening channels (C and C'). Each channel (C and C') receives a lower portion (M and M') of the transparent plates (P1 and P2) therein. At least one longitudinal bead (R) extends *into* each channel (C and C') to ensure a tight, secure engagement of the

transparent plates (P1 and P2) within channels (C and C'). Notably, Vogler does not describe or suggest an escutcheon for an appliance door that includes a flange and a lip that in combination define a retaining slot, and a plurality of positioning ribs that extend from the flange and away from the retaining slot, and that include a reinforcing section configured to prevent flexing of the plurality of positioning ribs.

Claim 1 recites an escutcheon for an appliance door assembly including “a plurality of formations downwardly depending from said lower edge, said plurality of formations comprising; a flange and a lip in combination defining a retaining slot configured to receive an appliance door panel such that said appliance door panel and said lower edge form a substantially flush surface, and a plurality of positioning ribs extending from said flange and away from said retaining slot and configured to engage the appliance door panel, said plurality of positioning ribs comprising a reinforcing section configured to prevent flexing of said plurality of positioning ribs.”

Applicants respectfully submit that rejections on obviousness grounds cannot be sustained by mere conclusory statements. Rather, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. KSR Int’l Co. v. Teleflex, Inc., 127 S.Ct. 1727, 1740-1741 (2007) (*quoting In re Kahn*, 441 F.3d 977, 988 (Fed Cir. 2006)). In the present application, Applicants respectfully submit that the rejection includes no reasoning or rational underpinning to support the legal conclusion.

Neither Sulcek nor Vogler, considered alone or in combination, describes or suggests an escutcheon as recited in Claim 1. More specifically, neither Sulcek nor Vogler, considered alone or in combination, describes or suggests an escutcheon for an appliance door that includes a flange and a lip that in combination define a retaining slot, and a plurality of positioning ribs that extend from the flange and away from the retaining slot. Rather, in contrast to the present invention, Sulcek describes a refuse packing apparatus having a door that includes a pair of spaced, parallel front flanges that extend downward from a base portion of the door and define a channel therebetween that is sized to receive a front panel therein, and Vogler describes a placard display stand having an elongated base that includes a bottom wall, two side walls, and an interior partition wall located between the side walls that divides an interior space bounded by the side and bottom walls into two upwardly opening

channels. At least one longitudinal bead (rib) extends *into* each channel (retaining slot) to ensure a tight, secure engagement of the transparent plates within the channels.

Applicants respectfully submit that modifying the teachings of Sulcek with the teachings of Vogler does not describe or suggest all of the elements recited in Claim 1. Specifically, modifying the teachings of Sulcek with the teachings of Vogler does not describe or suggest an escutcheon for an appliance door that includes a flange and a lip that in combination define a retaining slot, and a *plurality of positioning ribs that extend from the flange and away from the retaining slot* that include a reinforcing section configured to prevent flexing of the plurality of positioning ribs.

Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Sulcek in view of Vogler.

Claims 4, 5 and 21 depend, directly or indirectly, from independent Claim 1. When the recitations of dependent Claims 4, 5 and 21 are considered in combination with the recitations of independent Claim 1, Applicants submit that dependent Claims 4, 5 and 21 likewise are patentable over Sulcek in view of Vogler.

Claim 7 recites an escutcheon for a dishwasher door assembly. The escutcheon includes “a flange and a lip in combination defining a retaining slot configured to receive an appliance door panel such that said appliance door panel and said lower edge form a substantially flush surface, and a plurality of positioning ribs extending from said flange and away from said retaining slot and configured to engage the upper edge of the appliance door panel, said plurality of positioning ribs comprising a reinforcing section configured to prevent flexing of said plurality of positioning ribs.”

Neither Sulcek nor Vogler, considered alone or in combination, describes or suggests an escutcheon as recited in Claim 7. More specifically, neither Sulcek nor Vogler, considered alone or in combination, describes or suggests an escutcheon for a dishwasher door assembly that includes a flange and a lip that in combination define a retaining slot, and a plurality of positioning ribs that extend from the flange and away from the retaining slot. Rather, in contrast to the present invention, Sulcek describes a refuse packing apparatus having a door that includes a pair of spaced, parallel front flanges that extend downward from

a base portion of the door and define a channel therebetween that is sized to receive a front panel therein. Vogler describes a placard display stand having an elongated base that includes a bottom wall, two side walls, and an interior partition wall located between the side walls that divides an interior space bounded by the side and bottom walls into two upwardly opening channels. At least one longitudinal bead (rib) extends *into* each channel (retaining slot) to ensure a tight, secure engagement of the transparent plates within the channels.

Applicants respectfully submit that modifying the teachings of Sulcek with the teachings of Vogler does not describe or suggest all of the elements recited in Claim 7. Specifically, modifying the teachings of Sulcek with the teachings of Vogler does not describe or suggest an escutcheon for a dishwasher door assembly that includes a flange and a lip that in combination define a retaining slot, and a *plurality of positioning ribs that extend from the flange and away from the retaining slot* that include a reinforcing section configured to prevent flexing of the plurality of positioning ribs.

Accordingly, for at least the reasons set forth above, Claim 7 is submitted to be patentable over Sulcek in view of Vogler.

Claim 9 depends directly from independent Claim 7. When the recitations of Claim 9 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claim 9 likewise is patentable over Sulcek in view of Vogler.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1, 4, 5, 7, 9 and 21 be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Respectfully submitted,



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